

Appl. No.: 10/715,093  
Amdt. dated September 28, 2006  
Reply to Office Action of May 1, 2006

Amendments to the Drawings:

The attached sheet of drawings includes changes to Figs. 1, 2, and 4. The attached replacement sheets, which include Figs. 1, 2, and 4, replace the original sheets that include Figs. 1, 2, and 4. In Figure 1, previously omitted reference number **100** has been added. In Figure 2, previously omitted reference number **230** has been added. In Figure 4, one of the reference numbers has been changed from **640** to **650**.

Attachment: Replacement Sheets 1/5 (FIG. 1), 2/5 (FIG. 2), and 4/5 (FIG. 4)

### **REMARKS/ARGUMENTS**

In the Office Action dated May 1, 2006, Claims 1-28 were rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent Publication No. 2003/0033296 to Rothmuller et al. ("Rothmuller"). Claims 5, 8, 18, and 28 were objected to for minor informalities. In response to the Office Action, Applicant has amended independent Claims 1, 11, and 21. As explained below, Applicants respectfully submit that the claimed invention of amended independent Claims, 1, 11, and 21, and by dependency Claims 2, 6-10, 12, 16-20, 22, 23, and 26-33, are patentably distinct from the Rothmuller publication. As such, Applicants respectfully request reconsideration and allowance of all of the pending claims of the present application.

#### *The Rothmuller Publication*

The Rothmuller publication is directed to a system for managing digital media files, such as photographs. The system allows a user to create tags **350** that can be dragged over representations of the photos in the image area **100**. The tags can be associated with metadata so that, when the tag is dragged and dropped onto a photo, the information associated with that tag is stored as metadata for that photo. The user can also search for photos of particular interest by searching the metadata associated with the photos. After a search is conducted, photos may be displayed based on how well they relate to the search query. For example, photos that are considered to be in the "best match" group may be displayed in image area **100** over a particular background color that indicates the best matches. Rothmuller also describes that, in addition to photos, other types of media files may be used and tagged in the system. FIG. 6 and paragraphs 39 and 40 of Rothmuller state that, when other types of media files are used, icons indicative of the media type (e.g., video, audio, slideshow, etc.) can be displayed on the representation of the media file to indicate the media type of the media file.

#### *Amended Independent Claims 1, 11, and 21*

Independent Claims 1, 11, and 21 of the present application have been amended to generally recite that the information identifiers provide for an associated text note to be included in the metadata of an item of information and that the information identifiers graphically alter a

representation of the associated item of information. Accordingly, dependent Claims 3, 4, 5, 13, 14, 15, 23, and 24, which make similar recitations, have been cancelled. The independent claims have been further amended to recite that the information identifier graphically alters the representation of the item of interest in a manner visually distinct from the associated text note. As such, the amended claims generally recite that the information identifiers provide for an associated text note to be included in the metadata of an item of information and that the information identifiers graphically alter a representation of the associated item of information in a manner visually distinct from the associated text note. FIG. 3 and page 20, lines 6-30, illustrate and describe various ways that an information identifier may graphically alter the representation of an item of interest in accordance with embodiments of the present invention. For example, graphically altering the representation of an item of interest may include altering the size, color, or border of the representation of the item of information or for adding a frame to the representation of the item of information.

Although Rothmuller describes that icons may be displayed with a representation of a media file to indicate media type, Rothmuller does not describe that such icons provide text notes or text messages to be associated with the media file, as recited by amended independent Claims 1, 11, and 21. Furthermore, while Rothmuller does describe tags that can provide metadata for a media file, Rothmuller does not describe that associating a tag with a media file graphically alters the representation of the media file in a manner visually distinct from the associated text note, as recited by independent Claims 1, 11, and 21.

More particularly with regard to the media type icons shown in FIG. 6 of Rothmuller, Rothmuller discloses that these icons are based on the media type of the associated media file. For example, if the media file is an audio type of file, an icon that looks like a speaker can be displayed to indicate that the media file is an audio type of file. In contrast, the independent Claims of the present application are directed to information identifiers that: (1) provide for an associated text note or text message to be included in the metadata of an item of information, such as a media file; and (2) graphically alter a representation of the associated item of information in a manner that is visually distinct from the associated text note. The media type icons of Rothmuller do not provide either of these features recited by the claims of the present

application.

Accordingly, Applicants submit that Rothmuller does not teach or suggest all of the claim limitations of Claims 1, 11, and 21 and that such claims are in a condition for allowance. As such, the rejections of Claims 1, 2, 6-12, 16-23, and 26-29 have been overcome.

*New Dependent Claims 29-33*

New dependent Claims 29-31 have been added that are directed to the information identifiers and how they graphically alter the representation of the item of information. Specifically, dependent Claims 29-31 depend from independent Claims 21, 1, and 11, respectively, and recite that graphically altering a representation of the selected item of information in a manner visually distinct from the text note or message includes at least one of altering the size, color, or border of the representation of the item of information, or by adding a frame to the representation of the item of information. Rothmuller does not teach or suggest that the information identifiers graphically alter a representation of the selected item of interest in any of these claimed ways.

New dependent Claims 32 and 33 depend from Claims 1 and 11, respectively, and recite “displaying a window, after the information identifier is associated with the item of information, in order to allow a user to input the customized text note to be associated with the information identifier” (emphasis added). For example, page 17, line 29 – page 18, line 9 describes how, in one embodiment of the present invention, a bookmark option (one type of information identifier) may be associated with a particular item of information, such as a media file, by dragging and dropping a chosen bookmark option onto the item of information. Once the bookmark option has been associated with an item of information, such as a media file, a calendared event, or a period of time, a bookmark window may be displayed to allow the user to input a bookmark note. In contrast to Claims 32 and 33, Rothmuller only describes customizing the metadata associated with a tag before associating the tag with a media file. Therefore, dependent Claims 29-33 are patentable over the cited reference for these additional reasons.

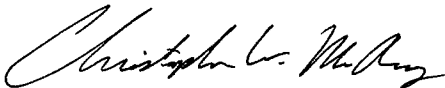
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### **Conclusion**

In view of the remarks and amendments presented above, it is respectfully submitted that the claims of the present application are in condition for allowance. It is respectfully requested that a Notice of Allowance be issued in due course. The Examiner is requested to contact Applicants' undersigned attorney to resolve any remaining issues in order to expedite examination of the present application.

It is not believed that extensions of time or fees for net addition of claims are required, beyond those that may otherwise be provided for in documents accompanying this paper. However, in the event that additional extensions of time are necessary to allow consideration of this paper, such extensions are hereby petitioned under 37 CFR § 1.136(a), and any fee required therefore (including fees for net addition of claims) is hereby authorized to be charged to Deposit Account No. 16-0605.

Respectfully submitted,



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